In the High Court of Punjab and Haryana, Chandigarh

CWP No. 14342 of 2006

Date of Decision: October 17, 2006

Dalsher Maan

…Petitioner

Versus

State of Haryana and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR
HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. S.K. Malik, Advocate,
for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

The petitioner is aggrieved by the appointment of respondent No. 6 in so far as he has been engaged as a Lecturer replacing the petitioner. The case of the petitioner is that he was engaged as a Lecturer on contract basis for the Session 2001-2002. he was again engaged in 2003 and continued till the conclusion of the academic session in the year 2006. The petitioner has been appointed on contract basis after issuance of advertisement and inviting applications from all eligible candidates. His grievance is that in pursuance to another advertisement dated 1.8.2006 (P-2), which resulted into the appointment of respondent No. 6 on contract basis,

he could not be replaced and his appointment limiting to 89 days is against the view taken by this Court in the case of **Polu Ram v. State of Haryana, 1998 (4) RSJ 152**.

Having heard the learned counsel, we are of the view that the aforementioned view can no longer be sustained as Hon'ble the Supreme Court in the case of **Secretary, State of Karnataka & others v. Umadevi & others, (2006) 4 SCC 1,** has held that the agency of the State or the State aided institute could engage eligible persons on contract basis and condition of 89 days inserted in their appointment letters would not violate Articles 14 and 16(1) of the Constitution. There is no merit in this petition. Therefore, the same is dismissed.

(M.M. KUMAR)
JUDGE

(M.M.S. BEDI)
JUDGE

October 17, 2006
Pkapoor